

Docket No.: 1137-827



**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of Katsumi Tsukamoto et al.

Serial No.: 09/913,157

Filed: August 10, 2001

Group Art Unit: 2686

Examiner: Kimberly Contee

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated January 14, 2005 and the Advisory Action dated May 13, 2005 rejecting the following claims: 1-11.

The fee for this Notice of Appeal is \$500.00.

An extension of time is requested for two months. The required fee for this extension of time is \$450.00.

A check for \$950.00 is enclosed.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 02-2135. An additional copy of this Notice is enclosed herewith.

Respectfully submitted,

06/14/2005 SZEWDIE1 00000029 09913157

01 FC:1401

500.00 OP

By

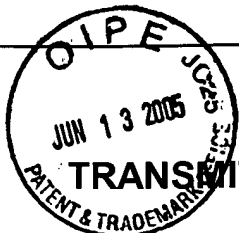
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06/14/2005 SZEWDIE1 00000029 09913157

02 FC:1252

450.00 OP

AF/15



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Complete if Known	
		Application No.	09/913,157
		Filing Date	August 10, 2001
		First Named Inventor	Katsumi TSUKAMOTO et al.
		Group Art Unit	2686
		Examiner Name	Kimberly J. Contee
Total Number of Pages in This Submission <u>3</u>		Attorney Docket No.	1137-827
		Customer No.	6449
ENCLOSURES (check all that apply)		Confirmation No.	3642

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Licensing-related Papers | <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) | |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

REMARKS:

L:\1137\1137-827.TRNS.wpd

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	George R. Repper, Reg. No. 31,414				
SIGNATURE		DATE	June 13, 2005	DEPOSIT ACCT USER ID	02-2135

FEE TRANSMITTAL for FY 2005 (Large Entity)		Complete if Known	
		Application Number	09/913,157
		Filing Date	August 10, 2001
		First Named Inventor	Katsumi TSUKAMOTO et al.
		Examiner Name	Kimberly J. Contee
		Group Art Unit	2686
<input type="checkbox"/> Applicant claims small entity status		Attorney Docket Number	1137-827
Total Amount of Payment	(\$) 950.00	Confirmation Number	3642

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge the fees indicated below or credit overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any additional fee required under 37 CFR 1.16 and 1.17 to Deposit Account No. 02-2135.
2. ☒ Payment by check enclosed

FEE CALCULATION
1. FILING, SEARCH AND EXAMINATION FEES

Code	Fee	Fee Description	Fee Paid
1001	300	Utility Filing Fee	[]
1111	500	Utility Search Fee	[]
1311	200	Utility Examination Fee	[]
1002	200	Design Filing Fee	[]
1112	100	Design Search Fee	[]
1312	130	Design Examination Fee	[]
1003	200	Plant Filing Fee	[]
1113	300	Plant Search Fee	[]
1313	160	Plant Examination Fee	[]
1004	300	Reissue Filing Fee	[]
1114	500	Reissue Search Filing Fee	[]
1314	600	Reissue Examination Fee	[]
1005	200	Provisional Filing Fee	[]

SUBTOTAL \$
2. CLAIMS

	Extra Claims	Fee	Fee Paid
Total Claims [] - 20* = [] x		\$50 = []	
Independent Claims [] - 3* = [] x		200 = []	
Multiple Dependent Claims +		360 = []	

*or number previously paid, if greater

SUBTOTAL \$
3. APPLICATION SIZE FEE

Total Sheets [] - 100 = []/50 = []** x \$250 =

** Number of each additional 50 or fraction thereof

SUBTOTAL \$
FEE CALCULATION (continued)
4. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	[]
1052	50	Surcharge - late provisional filing fee or cover sheet	[]
1053	130	Non-English specification	[]
1812	2,520	For filing a request for reexamination	[]
1804	920	Requesting publication of SIR prior to Examiner action	[]
1805	1,840	Requesting publication of SIR after Examiner action (reduced by basic filing fee paid)	[]
1251	120	Extension for reply within first month	[]
1252	450	Extension for reply within second month	[450.00]
1253	1,020	Extension for reply within third month	[]
1254	1,590	Extension for reply within fourth month	[]
1255	2,160	Extension for reply within fifth month	[]
1401	500	Notice of Appeal	[500.00]
1402	500	Filing a brief in support of an appeal	[]
1403	1,000	Request for Oral Hearing	[]
1451	1,510	Petition to institute a public use proceeding	[]
1452	500	Petition to revive -unavoidable	[]
1453	1,500	Petition to revive - unintentional	[]
1807	50	Processing fee under 37 CFR 1.17(q)	[]
1806	180	Submission of Information Disclosure Statement	[]
1809	790	Filing a submission after final rejection (37 CFR .129(a))	[]
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	[]
1801	790	Request for Continued Examination (RCE)	[]
1802	900	Request for expedited examination of a design application	[]
1504	300	Publication fee for early, voluntary, or normal publication	[]
1505	300	Publication fee for republication	[]
1455	200	Filing application for patent term adjustment	[]
1456	400	Request for reinstatement of term reduced	[]
1814	130	Statutory Disclaimer	[]
Other fee (specify)			[]

SUBTOTAL \$950.00

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER		George R. Reppe, Reg. No. 31,414			
SIGNATURE		DATE	June 13, 2005	DEPOSIT ACCOUNT USER ID	